

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**MARY BLOODSWORTH and  
JERRY BLOODSWORTH,**

**Plaintiffs,**

**V.**

**CASE NO. 2:05cv622-d**

**SMITH & NEPHEW, INC.,  
et al.,**

**Defendants.**

**AFFIDAVIT OF JAMES A. SPARACIO**

STATE OF ALABAMA

COUNTY OF JEFFERSON

James A. Sparacio, being duly sworn, deposes and says:

1. My name is James A. Sparacio. I am over the age of 19 years, and I am competent to make this affidavit. I am the president of Spar Medical, Inc., and have been president of Spar Medical, Inc., since the time the company was founded. I have personal knowledge of the matters addressed in this affidavit.

2. Spar Medical, Inc., did not design, manufacture, sell, distribute, supply, handle, deliver or otherwise have anything to do with the medical devices used in each of Mary H. Bloodsworth's procedures performed on June 2, 2003 and February 2, 2004. Spar Medical, Inc., ceased representation of Smith & Nephew, Inc., as of December 31, 2001.

3. Neither I nor any other employee of Spar Medical, Inc., have communicated at any time with Ms. Bloodsworth. Neither I nor any other employee of Spar Medical, Inc., communicated with Ms. Bloodsworth's implanting surgeon concerning the medical devices used in each of Ms. Bloodsworth's procedures at any time during her care and treatment. Spar Medical, Inc., has no knowledge of any design or manufacturing defect in the Smith & Nephew,

Inc., products used in Ms. Bloodsworth's procedures, and Spar Medical, Inc., provided no warranties, express or implied, with respect to those products.

James A. Sparacio  
James A. Sparacio

Sworn to and subscribed before me by James A. Sparacio on this the 20<sup>th</sup> day of August, 2005.

Sandra Lee Martin  
Notary Public  
My commission Expires:

SANDRA LEE MARTIN Notary Public, AL State at Large My Comm. Expires Feb. 28, 2009
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